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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/655,959	09/04/2003	Yew Teng Too	006404.P010	1957
8791	7590	04/23/2007	EXAMINER	
BLAKELY SOKOLOFF TAYLOR & ZAFMAN 12400 WILSHIRE BOULEVARD SEVENTH FLOOR LOS ANGELES, CA 90025-1030			GELIN, JEAN ALLAND	
			ART UNIT	PAPER NUMBER
			2617	
SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE		
3 MONTHS	04/23/2007	PAPER		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/655,959	TOO ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Jean A. Gelin	2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 09 April 2007.
- 2a) This action is **FINAL**.                            2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1,6,7,10-12,17,18,21 and 22 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1, 6, 7, 10-12, 17, 18, 21, 22 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All    b) Some \* c) None of:
  1. Certified copies of the priority documents have been received.
  2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) Notice of Informal Patent Application
- 6) Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 04/09/2007 has been entered.

### ***Claim Rejections - 35 USC § 112***

2. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

3. Claims 1 and 12 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. The phrase "wherein the operating functions of the portable device controlled by at least two control devices are independent of the information displayed in the digital display" is nowhere to be found in the specification. After a thorough reading of the specification, and reviewing the drawings, the Examiner could not find control devices that are independent of the information displayed in the digital display. Appropriate correction is required.

All claims depend from 1 and 12 are rejected for the same reasons.

***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. **Claims 1, 6, 7, 10-12, 17, 18, 21 and 22** are rejected under 35 U.S.C. 102(b) as being anticipated by Want et al. (US Patent Number 5,825,675; hereinafter "Want").

Regarding **claim 1**, Want teaches a portable digital device (FIG. 4A) comprising: at least two control devices for controlling at least two operating functions of the portable digital device (FIG. 4A, buttons 384, 386, 388; column 7, lines 21-28); a digital display for displaying information (FIG. 4A display 380); and a processor (FIG. 2, processor 180) for rotating the information from a first orientation to a second orientation as a single entity (FIG. 3A to 6B; column 8, lines 11-23); and remapping the at least two control devices to reverse their operating functions, including operating functions not shown in the digital display (for example, functions such as "UP" and/or "DOWN" depicted in Figures 4A-4B are not shown in the digital display 380, and are remapped once device is in inverted position), to allow for use of the portable digital device in both the first orientation and the second orientation (FIG. 4A and 4B; buttons 388 and 384; column 7, lines 43-58); wherein the at least two operating functions are selected from the group consisting of: skip forward, skip back,

increase volume, decrease volume, menu display move to the right, and menu display move to the left (FIG. 3A to 6B; column 10, lines 18-39; column 7, lines 16-58) (for example, Want teaches the functions can be scrolling in any of four directions possible, column 10, line 24; therefore: menu display move to the right, and menu display move to the left as claimed).

Regarding **claim 6**, Want further teaches the limitations in FIGs. 4A and 4B.

Regarding **claim 7**, Want further teaches the limitations in FIGs. 3A-3D.

Regarding **claim 10**, Want further teaches a memory (FIG. 2, memory 172) containing a key map, a first table corresponding to the first orientation, and a second table corresponding to the second orientation (FIG. 5, tables in blocks 408 and 414).

Regarding **claim 11**, Want further teaches the limitations in column 9, lines 32-55 (the displayed information is processed as bit map).

Regarding **claim 12**, Want teaches a method for reorienting a portable digital device from a first orientation to a second orientation comprising:

(a) rotating information for display on a digital display of a portable digital device from a first rotation position to a second rotation position (column 9, lines 32-36; FIG. 3A to 6B); and

(b) reversing (column 7, lines 44-47) at least two operating functions of at least two control devices of the portable digital device from a at least one operating function to at least one other operating function (column 9, lines 37-46); wherein the at least two operating functions, including operating functions not shown in the digital display (for example, functions such as "UP" and/or "DOWN" depicted in Figures 4A-4B are not

shown in the digital display 380, and are remapped once device is in inverted position), are selected from the group consisting of: skip forward, skip back, increase volume, decrease volume, menu display move to the right, and menu display move to the left (FIG. 3A to 6B; column 10, lines 18-39; column 7, lines 16-58) (for example, Want teaches the functions can be scrolling in any of four directions possible, column 10, line 24; therefore: menu display move to the right, and menu display move to the left as claimed).

Regarding **claim 17**, Want further teaches the limitations in FIGs. 4A and 4B.

Regarding **claim 18**, Want further teaches the limitations in FIGs. 3A-3D.

Regarding **claim 21**, Want further teaches a memory (FIG. 2, memory 172) containing a key map, a first table corresponding to the first orientation, and a second table corresponding to the second orientation (FIG. 5, tables in blocks 408 and 414).

Regarding **claim 22**, Want further teaches limitations of the claim in column 9, lines 32-55, FIG. 4A and 4B (displayed information is processed as bit map).

### ***Response to Arguments***

6. Applicant's arguments filed 04/09/2007 have been fully considered but they are not persuasive.

The Applicant argues in substance that buttons 384, 386, 388 of the portable device of Want do not control an operating function of the portable device that is independent of the information displayed in the display device. However, the Examiner disagrees with the preceding arguments because "wherein the operating functions of

the portable device controlled by at least two control devices are independent of the information displayed in the digital display" is nowhere to be found in the specification of the current application. Therefore, the previous office action is maintained.

The Applicant further argues that it is not possible to operate the apparatus disclosed in Want using just one hand if buttons are not accessible to the fingers of the user. However, the Examiner disagrees with the preceding arguments. Want teaches the operation of menu item selection involves only the use of one of the user's hands. Want further teaches a portable computer having various buttons for user to shift, search, and display information in reverse video using only the left-hand or the right-hand to hold the portable device. Therefore, the previous rejection is maintained.

### ***Conclusion***

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jean A. Gelin whose telephone number is (571) 272-7842. The examiner can normally be reached on 9:30 AM to 7:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles Appiah can be reached on (571) 272-7904. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

JEAN GELIN  
PRIMARY EXAMINER

JGelin  
April 15, 2007

*jean Alland Gelin*